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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK, U.S. BANKRUPTCY COURT
WEST DIST OF PENNSYLVANIA

In re:)
JOANNE M. ROMAN,) Case No. 21-20642-GLT
Chapter 7 Debtor.)
)

CERTIFICATE OF SERVICE

I, Joanne M. Roman, Debtor, Pro se Movant DECLARATION UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES swear that the forgoing is true and correct in support of attached:

On Monday, July 14, 2025, I caused to be served a copy of (Doc 27 filed 7/9/2025/entered 7/9/2025) Order //signed by Gregory L. Taddonio, Chief Judge United States Bankruptcy Court Scheduling Dates for Response and Hearing on Motion to Reopen Case (Doc 24 filed 7/2/2025/entered 7/9/2025) has been served upon the following parties as follows:

DISTRIBUTION

1. The United States Bankruptcy Court WDP
Clerk of Courts Office – **FOR DOCKETING EVENT (ECF)**
5414 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

USPS Priority Express Mail No: **ER 132 061 627 US** guaranteed overnight delivery signature print certificate receipt online at tracking USPS.com

2. Office of the United States Trustee,
Federal Building – Region 3
Suite 1316,
1000 Liberty Avenue
Pittsburgh PA 15222

USPS Priority Express Mail No: **ER 132 061 074 US** guaranteed overnight delivery signature print certificate receipt online at tracking USPS.com

3. The United States District Court WDP
Clerk's Office, Room 3110 – **FOR DOCKETING EVENT (ECF/CM (NEF) NOTICE)**
Joseph F. Weis, JR., U.S. Court House
700 Grant Street, Pittsburgh, PA 15219.

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UNITED STATES DISTRICT WDPA COURT SERVE via ECF/CM (NEF) TO NOTICE:

4. **Jennifer M. Herrmann, Esq.,**
Supreme Court of Pennsylvania, Suite 1414, Administrative Office of Pennsylvania Courts, 1515 Market Street, Philadelphia, PA 19102. **Lead Attorney TO BE NOTICED** for the Commonwealth Pennsylvania as OBLIGEE for the Court of Common Pleas of Butler County, PA 16001 Civil Division, 10th Judicial District and 50th Judicial District:
--The Honorable William R. Shaffer, Senior Judge
--The Honorable Kelley T D Streib, Judge
5. **Michael McKeever, Esq.,** KML Law Group, P.C., Suite 5000 – BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1532. **Lead Attorney TO BE NOTICED**, for M&T Bank and OBLIGEE CEO for KML Law Group, P.C., et. al. (named) New Jersey, Philadelphia, PA, Pittsburgh, PA and San Diego and Temecula, CA
--KML Law Group, P.C.
--Michael McKeever, Esq. CEO, KML Law Group, P.C.
--Danielle DiLeva, Esq. KML Law Group, P.C.
--Geraldine Linn, Esq. KML Law Group, P.C.
--J. Eric Kishbaugh, Esq. KML Law Group, P.C.
--Natalie Rowan, KML Law Group, P.C.
6. Kelly Ferrari, Prothonotary – **FOR DOCKETING EVENT NOTICE**
Butler County Court House
Prothonotary Office
124 West Diamond Street, Butler PA 16001

USPS Priority Express Mail No: **ER 132 061 587 US** guaranteed overnight delivery signature print certificate receipt online at tracking USPS.com

NOTICE: The Butler County Sheriff and KML Law Group, P.C. Attorney for M&T Bank. Please scan into Electronic Docket for all the following Case Numbers:

AD 2022-10337	AD 2024-10991
CP 2023-21203	CP 2025-20859
ED 2023-30130	ED 2025-30134

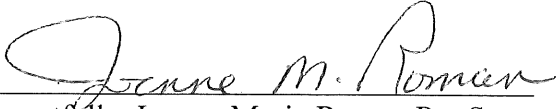
SERVE Via U.S.P.S First-Class Mail:

7. Michael T. Slupe, Butler County Sheriff
Sheriff's Office 1st Floor of the Butler County Court House
300 South Main Street, Butler PA 16001
8. Jennifer M. Herrmann, Esq.
Supreme Court of Pennsylvania
Administrative Office of Pennsylvania Courts
Suite 1414
1515 Market Street, Philadelphia, PA 19102

9. M&T Bank
Attn: Officer or Managing Agent
One Fountain Plaza
Buffalo, NY 14203
10. Michael McKeeever, Esq.
KML Law Group, P.C.
Suite 5000 – BNY Independence Center
701 Market Street, Philadelphia, PA 19106-1532
11. Danielle DiLeva, Esq.
KML Law Group, P.C.
Suite 5000 – BNY Independence Center
701 Market Street, Philadelphia, PA 19106-1532
12. Geraldine Linn, Esq.
KML Law Group, P.C.
Suite 5000 – BNY Independence Center
701 Market Street, Philadelphia, PA 19106-1532
13. J. Eric Kishbaugh, Esq.
KML Law Group, P.C.
Suite 5000 – BNY Independence Center
701 Market Street, Philadelphia, PA 19106-1532
14. Natalie Rowan
KML Law Group, P.C.
Suite 5000 – BNY Independence Center
701 Market Street, Philadelphia, PA 19106-1532
15. Richard M. Komins, Esq., **Attorney TO BE NOTICED**, for HSBC Bank USA, NA, Freemont Home Loan, Trust2005-C and Ocwen Loan Servicing LLC
1661 Worthington Road
Suite 100
West Palm Beach, FL 33409
United States
16. HSBC Bank USA, N.A.
1661 Worthington Road
Suite 100
West Palm Beach, FL 33409
United States
17. Freemont Home Loan, Trust 2005-C
Attn: Officer or Managing Agent
1661 Worthington Road
Suite 100
West Palm Beach, FL 33409
United States
18. Ocwen Loan Servicing LLC
Attn: Officer or Managing Agent
1661 Worthington Road
Suite 100
West Palm Beach, FL 33409
United States

19. Joanne M. Roman, 102 Artlee Avenue, Butler PA 16001
20. Joanne M. Roman, La Playa HC 02 Box 5967 Guayanilla PR 00656

This verification is being made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsifications to authorities, and under 28 U.S. Code § 1746 Unsworn declarations under penalty of perjury. I, Joanne M. Roman, declare under penalty of perjury that the foregoing is true and correct.



Respectfully, Joanne Marie Roman Pro Se
102 Artlee Avenue, Butler PA 16001
jmroman0967@gmail.com
(814) 323-5853

07/14/2025

Executed on Date: July 14, 2025

Form 600

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Joanne M. Roman
Debtor(s)

Joanne M. Roman
Movant(s),

v.
NO RESPONDENTS
Respondent(s).

Case No. 21-20642-GLT
Chapter: 7

Related to Document No. 24

Hearing Date: 7/24/25 at 11:00 AM

**ORDER SCHEDULING DATES FOR RESPONSE
AND HEARING ON MOTION**

AND NOW, this *The 9th of July, 2025*, a *Motion to Reopen Case* having been filed at Doc. No. 24 by the Debtor,

It is hereby **ORDERED, ADJUDGED and DECREED** that:

(1) Pursuant to *Bankruptcy Rule 7004*, Counsel for the Moving Party shall **IMMEDIATELY** serve a copy of this *Order* and the *Motion* upon all parties from whom relief is sought, their counsel, the U.S. Trustee and all those identified on the Certificate attached to the *Motion*. Counsel for the Moving Party shall then file a *Certificate of Service*. ***Failure to properly serve the Motion or file the Certificate may result in the dismissal of the Motion.***

(2) ***On or before July 24, 2025***, any *Response*, including a consent to the *Motion*, shall be filed with the Clerk's Office at U.S. Bankruptcy Court, 5414 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219 and served on the counsel for the Moving Party.

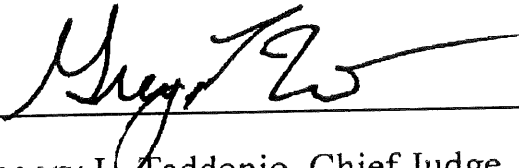
(3) This *Motion* is scheduled for an in-person non-evidentiary hearing on ***July 24, 2025 at 11:00 AM*** before Judge Gregory L. Taddonio in Courtroom A, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219. In accordance with Judge Taddonio's procedures, parties may appear for non-evidentiary matters remotely by utilizing the Zoom video conference platform. Parties seeking to appear remotely must register for the hearing by submitting a registration form via the link published on Judge Taddonio's website (which can be found at: <http://www.pawb.uscourts.gov/judge-taddonios-video-conference-hearing-information>) by no later than **4 p.m.** on the business day prior to the scheduled hearing. All parties participating remotely shall comply with Judge Taddonio's General Procedures (which can be found at: <http://www.pawb.uscourts.gov/sites/default/files/pdfs/glt-proc.pdf>).

Parties who fail to timely register for remote participation will be expected to attend the hearing in person.

(4) If, after proper service, a Respondent fails to timely file a *Response*, the Court *may* determine that no hearing is required and accordingly enter an order by default. ***To determine if a default order has been entered, the Moving Party is directed to the Court's website at www.pawb.uscourts.gov, one day prior to the hearing. To view the calendar for Judge Gregory L Taddonio refer to the calendar section.*** In the event a default order has been entered, the Moving Party shall **IMMEDIATELY** advise all affected parties. If a default order has not been entered, the parties will be **required** to appear at the hearing.

(5) A maximum of 10 minutes has been allotted to hear this matter. Should this matter require more than 10 minutes, the parties are required to so notify the Courtroom Deputy **IMMEDIATELY**.

(6) All responses are due at the time of the hearing,
July 24, 2025 at 11 a.m.



Gregory L. Taddonio, Chief Judge
United States Bankruptcy Court

cm: Joanne Roman

District/Off: 0315-2
Case: 21-20642-GLT

User: auto
Form ID: 600

Date Created: 7/9/2025
Total: 1

Recipients submitted to the BNC (Bankruptcy Noticing Center):
db Joanne M. Roman La Playa HC 02 Box 5967

Guayanilla, PR 00656

TOTAL: 1

District/Off: 0315-2
Case: 21-20642-GLT

User: auto
Form ID: pdf900

Date Created: 7/10/2025
Total: 2

Recipients submitted to the BNC (Bankruptcy Noticing Center):

db	Joanne M. Roman	La Playa	HC 02 Box 5967	Guayanilla, PR 00656
	Joanne Roman	102 Artlee Ave.	Butler, PA 16001	

TOTAL: 2



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07/13/2025 16:13

Qty	Pages	Description	Amount
10	350	Copy- 2821512 - Letter 8.5 x 11" - Black & White (350 pages)	98.00

SubTotal	98.00
Standard Tax 6.0%	5.88
Total	USD \$ 103.88

Visa #:*****3253 [C]

VISA CREDIT

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Case type: bk Chapter: 7 Asset: No Vol: v Chief Bankruptcy Jud: Gregory L Taddonio

Date filed: 03/22/2021 Date of last filing: 07/10/2025

Debtor discharged: 07/07/2021

Date terminated: 07/28/2021

History

Doc. No.	Dates	Description
<u>29</u>	Filed & Entered: 07/10/2025	BNC PDF Notice
		<i>Docket Text:</i> BNC PDF Notice - Order at Doc. No. <u>27</u> mailed to Joanne Roman at 102 Artlee Ave., Butler, PA 16001 (address listed on pleadings). (mgut)
<u>27</u>	Filed & Entered: 07/09/2025	Order Scheduling a Hearing
		<i>Docket Text:</i> Order Setting Hearing on (RE: related document(s): <u>24</u> Motion to Reopen Chapter 7 Case filed by Debtor Joanne M. Roman, Motion to Avoid Lien, Motion for Sanctions for Violation of the Discharge Injunction). Hearing scheduled for 7/24/2025 at 11:00 AM via p01 Courtroom A, 54th Floor, U.S. Steel Tower, Pittsburgh. Responses due at the time of the hearing. (hthu)
<u>24</u>	Filed: 07/02/2025 Entered: 07/09/2025	Motion to Reopen Chapter 7 Case
		<i>Docket Text:</i> Motion to Reopen Chapter 7 Case Under 11 U.S.C. Section 350(b); Motion to Avoid Judgment Lien Pursuant to 11 U.S.C. Section 522(f)(1)(A) and for Civil Contempt Sanctions for Violation of Discharge; Motion for Injunction Pursuant to 11 U.S.C. Sections 105(a) and 524(a)(2); Motion for Relief Under the Bankruptcy Discharge Filed by Debtor Joanne M. Roman. Receipt Number NFR, Fee Amount \$260. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Proposed Order) (mgut) Modified on 7/10/2025 (mgut). Additional attachment(s) added on 7/10/2025 (mgut).
<u>24</u>	Filed: 07/02/2025 Entered: 07/09/2025	Motion to Avoid Lien
		<i>Docket Text:</i> Motion to Reopen Chapter 7 Case Under 11 U.S.C. Section 350(b); Motion to Avoid Judgment Lien Pursuant to 11 U.S.C. Section 522(f)(1)(A) and for Civil Contempt Sanctions for Violation of Discharge; Motion for Injunction Pursuant to 11 U.S.C. Sections 105(a) and 524(a)(2); Motion for Relief Under the Bankruptcy Discharge Filed by Debtor Joanne M. Roman. Receipt Number NFR, Fee Amount \$260. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Proposed Order) (mgut) Modified on 7/10/2025 (mgut). Additional attachment(s) added on 7/10/2025 (mgut).
<u>24</u>	Filed: 07/02/2025 Entered: 07/09/2025	Motion for Sanctions for Violation of the Discharge Injunction
		<i>Docket Text:</i> Motion to Reopen Chapter 7 Case Under 11 U.S.C. Section 350(b); Motion to Avoid Judgment Lien Pursuant to 11 U.S.C. Section 522(f)(1)(A) and for Civil Contempt Sanctions for Violation of Discharge; Motion for Injunction Pursuant to 11 U.S.C. Sections 105(a) and 524(a)(2); Motion for Relief Under the Bankruptcy Discharge Filed by Debtor Joanne M. Roman. Receipt Number NFR, Fee Amount \$260. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Proposed Order) (mgut) Modified on 7/10/2025 (mgut). Additional attachment(s) added on 7/10/2025 (mgut).
<u>25</u>	Filed: 07/02/2025 Entered: 07/09/2025	Motion for Contempt
		<i>Docket Text:</i> Motion For Contempt and Sanctions - M&T Bank - for Violation of Discharge Injunction to the Honorable Gregory L. Taddonio, United States Bankruptcy Judge Filed by Debtor Joanne M. Roman. (Attachments: # <u>1</u> Proposed Order) (mgut)
<u>25</u>	Filed: 07/02/2025 Entered: 07/09/2025	Motion for Sanctions

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED

2025 JUL -2 A 10:39

In re:)
JOANNE M. ROMAN,)
Chapter 7 Debtor.)
)

CLERK
U.S. BANKRUPTCY COURT
PITTSBURGH
Case No. 21-20642

MOTION TO REOPEN CASE UNDER 11 U.S.C § 350(b)

**MOTION TO AVOID JUDGMENT LIEN PURSUANT TO 11 U.S.C. § 522(f)(1)(A)
AND FOR CIVIL CONTEMPT SANCTIONS FOR VIOLATION OF DISCHARGE**

**INJUNCTION PURSUANT TO 11 U.S.C. §§ 105(a) and 524(a)(2)
MOTION FOR RELIEF UNDER THE BANKRUPTCY DISCHARGE**

Debtor, Pro se, respectfully moves this Court for the following relief:

NOW COMES the Debtor, **Joanne Marie Roman**, pro se and respectfully moves this Honorable Court to issue an order relief **11 U.S.C. § 524** by avoiding the money **judgment lien for premises** and **“confession judgment” judicial lien ejectment for possession** obtained by **M&T Bank** after the bankruptcy case was closed, and to determine that the judgment liens are invalid and void under the bankruptcy discharge.

In support of this motion, the Debtor respectfully alleges as follows:

I. BACKGROUND

A. This case arises from the deliberate acts of Defendants—at state court judge, attorneys, and a bank—in imitating and pursuing **state court circumventing around the federal law filed a mortgage foreclosure** proceeding against the Plaintiff named as the defendant sued in REM. Continuation of a process prior to bankruptcy filing December 4, 2020, no assignment of mortgage recorded in state land records by Defendant Bank.

- B. Pennsylvania state law governs foreclosure of a state court action involving mortgage where the **United States is not named as a party but should have been** (often due to a federal mortgage lien) **28 U.S. C. § 2410** is the key federal law to consider. This statute provides the authority for the **United States to be sued in state court or federal court in actions like those to quiet title forecloses a mortgage or other claim or lien**. Important consideration is “*Judicial foreclosure*” the Defendant, The Honorable William R. Shaffer, Senior Judge and Defendants, KML Law Group, Attorneys for Defendant, M&T Bank know law in Pennsylvania for state court there is a requirement action to name the United States under this section and **must seek a sale. Lien Priorities a subordinate federal lien cannot be extinguished by non-judicial foreclosure and requires a Waiver of Sovereign Immunity.**
- C. The Defendants are in violation of federal bankruptcy law, constitutional protections, and the Supremacy Clause.
- D. The foreclosure suit resulted in a \$214,189.43 money judgment for premises.
- E. A second suit named the Plaintiff the defendant sued in a quiet title action resulted a confession judgment “judicial lien” for premises but with \$0.00, notwithstanding that the debt has been legally discharged.
- F. 341 Meeting of the creditors held **May 3, 2021**, after conclusion of meeting. None of debtors’ creditors appeared.
- G. Debtor claimed federal homestead exemption under **11 U.S.C. § 522(d)(1)** \$191,000 Appraisal value was used, which was allowed without objection, and the property remains the Debtor’s primary residence. The entire bankruptcy estate was able to be federal exempted (no assets available for distribution to the creditors) the U.S. Trustee distributed to debtor in possession and control. No objection filed by any creditor. No proof of claim filed by any creditor.
- H. The Debtor filed a **Chapter 7** bankruptcy petition. The creditor **M&T Bank** is listed as a creditor in the bankruptcy case schedules and served. **M&T Bank** appears on the Plaintiff discharge order. The promissory note mortgage debt discharged pursuant **11 U.S.C. § 727** and order was entered on **July 7, 2021**, and case closure on **July 28, 2021**. No objections were

raised to the discharge of its claim because none of the debtors' creditors appeared at the 341 creditors meeting held **May 3, 2021** and the case was closed **11 U.S.C. § 350**.

- I. Despite the bankruptcy discharge, **M&T Bank** filed for a summary judgment and obtained a **judicial monetary judgment with a value of \$214,189.43 for premises and a confession judgment for possession with a value of \$0.00** on the Debtor's property located at **102 Artlee Avenue Butler Pennsylvania 16001** (without due process of law and opportunity to redress).
- J. The underlying debt, allegedly secured by a promissory note, was scheduled and discharged in the above-captioned bankruptcy proceeding. No reaffirmation agreement was executed, and no objections were raised to the discharge of its claim.
- K. The Debtor now seeks to avoid those liens as they were obtained in violation of the discharge order.
- L. The creditor bank now is not only is seeking has succeeded enforcement of several wrongful post-discharge state court actions against the debtor and this creditor was "not the original lender", and "Debtor **never** signed any agreement" with the current entity.
- M. Plaintiff asserts that Defendants foreclosure action is **barred by the automatic stay** provisions of the Bankruptcy Code as well as by the discharge injunction. The Defendant M&T Bank **lacks standing** to pursue a mortgage foreclosure in state court action due to **absence of a valid, recorded assignment of the mortgage recorded during the automatic stay period April 9, 2021, of the Plaintiffs bankruptcy case and after the Plaintiff filed the bankruptcy petition March 22, 2021. The Mortgage assignment is defective and improper.**
- N. Defendant M&T Bank proceeded to commence unlawful acts without consent or notice given to the owner who was in Puerto Rico visiting with family pending the closing of the home to receive approximately \$30,000 by wire transfer but the Plaintiffs property was broken into **non-judicial action** MSI invoices paid by bank December 20, 2020 (change door locks) which halted a private real estate sales contract executed November 8, 2020, scheduled to close December 28, 2020 because the buyers bailed same date the home was posted November 18, 2020 and an inspection was completed November 19, 2020. The buyers realtor email Plaintiff's realtor a release from contract, the Plaintiff refused to sign he release of the \$2,000

hand money because the buyers home inspector caused damage to the Plaintiffs property received water damage that flooded the basement and requested the hand money be paid to her relator to dry up the water to put home back into condition which it was found prior to their inspection so the home could continue to be marketed for sale.

- O. Defendant M&T Bank has continued unlawful harassment using the state court procedures as machinery ignoring the bankruptcy discharge injunction were allowed to proceed to commence essentially illegal actions of fraudulent claims against the debtor filing lawsuits to remove her from her exempted property. The state court system is allowing an unlawful debt collection authorized revival of a promissory note debt discharged in bankruptcy court and reformed a mortgage back into MERSCORP without any agreement with the debtor plaintiffs consent.
- P. It has been almost five years, and the Plaintiff still has not had any relief of a fresh start battling one court case after another in defense of property which is 100% exempted 11 U.S.C. 522(d)(1) the bank clouded owners title fraud transfer by state court unconstitutional action without due process of law in collection of a discharged debt illusion a secured mortgage is in default. The debtor filed a 42 U.S.C. 1983 in the U.S. District Court Western District, Pa. Case No. 2:23-cv-00308-WSH.

II. POST DISCHARGE EVENTS - State Court Action

- A. Wrongful Mortgage Foreclosure discharged debt collection (without due process) AD 2022-10337 Complaint filed 5/13/2022 by KML Law Group PC debt collection attorney for M&T Bank. Judge order for judgment 7/12/2023 with Memorandum of Opinion 7/13/2023.
- B. Oral argument held 6/21/2023 state case CP 2023-21203 Judge issued a summary judgment in value of \$214,189.43 money judgment for premises on 8/14/2023 Writ of Execution. Case ED 2023-30130 was created for the Sheriff Levy of the debtor's property commenced a sale 9/20/2024 to M&T Bank for value of \$1,400.08. The Sheriff issued a deed recorded 10/9/2024 mailed to M&T Bank and the Order dated 11/2/2024 reformed mortgage into MERS System Corp recorded in the deed records. See attached [**Exhibit 4**]. This unlawful seizure of property (without due process) of a hearing by subpoena or opportunity to redress.

The Sheriff Sale is a fraudulent Conveyance deed (without due process) clouds owner general warranty deed and guaranteed land title insurance policy. M&T Bank filed a 5/15/2025 lawsuit filed **quiet title** action for judgment on pleadings asking for possession of debtors exempted property without possessing a paramount title to the property does not possess standing in accordance with Pa. statute to commence an ejectment of the debtor from property and motion to keep all debtors belonging in house without having actual physical possession of the property for not less than 10 years.

- C. The state court Judge issued order June 2, 2025, in state court action is unconstitutional, by grant of the “Confession” of Judgment” in the Common Plea Court of Pa” PA Rule of Civ. P. 236 “for Premises seeking” “possession of Debtor’s “exempt residence”, asserting \$0.00 in “monetary value” currently in progress, state court pending payment to serve possession on debtor by Sheriff (without due process) this action requires service notice to defend be given 30 days allowed to petition strike judgment.
- D. Debtor was never served with any valid copy of the underlying note, and the confessed judgment appears to rely on a “discharged obligation” and/or a “non-existent agreement”.
- E. The confessed judgment is functionally a “judicial lien” that impairs the Debtor’s homestead exemption under 11 U.S.C. § 522(f)(1)(A).
- F. The act of filing and attempting to enforce this judgment is a violation of the “discharge injunction” under 11 U.S.C. § 524(a)(2).

III. LEGAL GROUNDS

A. Motion to Reopen Case Under 11 U.S.C. § 350(b):

1. A bankruptcy case may be reopened “to accord relief to the debtor” or “for other cause” 11 U.S.C. § 350(b); “*In re Arana*”, 456 B.R. 161 (Bankr. E.D.NY. 2011).
2. Cause exists to reopen the case in order to avoid the judicial lien, and money judgment protect the discharge injunction, and prevent unlawful enforcement of a discharge debt.
3. The judgment lien obtained by **M&T Bank** after the bankruptcy discharge is in direction violation of the discharge in junction under 11 U.S.C. § 524(a). The debt was

discharged, and no actions could be taken in filing a lawsuit of having a sheriff sale enforce the debt, including obtaining a judgment lien or pursuing a foreclosure.

B. Lien Avoidance 11 U.S.C. § 522(f)(1)(A):

1. The confessed judgment constitutes a “judicial lien”, defined in 11 U.S.C § 101(36), which attaches to Debtor’s exempt property.
2. Under § 522(f)(1)(A), a debtor may avoid the fixing of a lien “on an interest of the debtor in property to the extent that such lien impairs an exemption.”
3. Here, the Debtor’s residence **home** is a fully exempt asset under Pennsylvania law, and the judgment impairs that exemption. The judgment lien impairs the debtors ability to fully enjoy her exemption in the property under § 522(d)(1).
4. See “**In re Miller**”, 299 F.3d 183 (3rd Cir. 2002); “**In re Holland**”, 151 F.3e 547 (6th Cir 1998).

C. Bankruptcy Courts Authority to Void Judgment Lien:

Bankruptcy Courts have the authority to avoid a judgment lien under **Violation of Discharge Injunction 11 U.S.C. § 524(a)(2) and 11 U.S.C § 522(f)**. . The debtor has a discharge in bankruptcy. The federal Statute 11 U.S.C. § 524(a)(2) operates as an injunction. “A discharge...operates as an injunction against the commencement or continuation of an action... or an act, to collect, recover or offset any such debt as a personal liability of the debtor...”

1. The Supreme Court has held that contempt may be appropriate where a creditor conduct is “objectively unreasonable” in light of the discharge order. “**Taggart v. Lorenzen**”, 139 S. Ct. 1795 (2019).
2. See **In re: Hyman**, 502 F.3d 61 (2nd Cir. 2007), where the court held that a bankruptcy court has the authority to void post-bankruptcy liens that violate the discharge injunction.
3. Attempting to obtain and enforce a state court judgment for possession based on discharge of the “unsecured debt” is a direct violation of the federal injunction 11 U.S.C. § 524(a)(2).

4. This court has authority to preempt or enjoin enforcement under the **Supremacy Clause** and consistent with federal bankruptcy law. See “**Gonzales v. Parks**”, 830 F2d 1033 (9th Cir. 1987).
5. “The Supreme Court case of D.H. “**Overmyer Co. v. Frick**” Co. (1972) addressed the constitutionality of a confession of judgment, ... The Court also indicated that confession of judgment clauses in adhesion contracts, where there is an unequal bargaining power, may still be unconstitutional.”
6. Collateral Attack of the bankruptcy discharge order and Improper Collection **In re Nassoko**, 405 B.R. 515 (Bankr. S.D.N.Y. 2009) held that enforcement of **judgment** on a discharged debt is a **violation of the discharge injunction**, and such actions may be **void**.
7. **In re Gurrola**, 328 B.R. 158 (B.A.P. 9th Cir. 2005) Creditor cannot “collaterally attack” a bankruptcy court’s discharge order by seeking collection through other courts; the discharge is **final and binding**.
8. **Violation may be unconstitutional (Due Process & Supremacy Clause)**. If a **state court confession of judgment** is used to circumvent a federal discharge, it raises issues under the **Supremacy Clause** and **Due Process**. **Relevant Authority:**
9. **Kalb v. Feuerstein**, 308 U.S. 433 (1940) state court actions that contravene bankruptcy court order are **void ab initio**, and the bankruptcy jurisdiction is **exclusive**.
10. **Taggart v. Lorenzen**, 139 S. Ct. 1795 (2019), A creditor may be held in contempt if it acts to collect a discharge debt, unless it has an **objectively reasonable basis** to believe the discharge does not apply.
11. **United States v. Beggerly**, 524 U.S. 38 (1998), Federal court orders (including bankruptcy discharges) cannot be challenged or circumvented through collateral attacks.
12. **In re Pavelich**, 229 B.R. 777 (B.A.P. 9th Cir. 1999), Attempting to enforce a discharge debt in state court violates the discharge injunction; such enforcement is **void and sanctionable**.

13. **Violation of Discharge Injunction – 11 U.S.C. § 524(a)(2).** The discharge order

“operates as an injunction against ... any act to collect recover or offset any such debt.”

IV. STATE LAW ISSUES

- A. **Debtor reserves all rights to challenge the state court judgment under “PA R.C.P. 2959”, on grounds of lack of a valid agreement, improper confession clause, and post-discharge bar.** Rule 2959 mandates that all reasons for striking or opening the judgment must be included in this single petition.
- B. This statute governs the procedure for striking or opening a judgment by confession in Pennsylvania. Specifically, it outlines how a party can seek relief from a confessed judgment, requiring that all grounds for such relief be raised in a single petition. The rule also addresses the timing of the petition and the potential for staying proceedings related to opening the judgment.
- C. **Seeking Relief**, a defendant seeking to challenge a confessed judgment must file a petition with the court, but not until is served by the Sheriff and then defendant has 30 days to file a petition. Rule 2959(e) allows the court to consider various forms of evidence, such as testimony, depositions, and admissions, to determine the merits of the petition. Rule 2959 applies to judgments entered by confession where the underlying transaction is **not a consumer credit transaction**, and the instrument is less than 20 years old.
- D. **The debtor has commenced this option for the past judgment received 8/14/2023, filed a petition in state court with motion to open and strike judgment on basis of §522(f) bankruptcy exempted property... 10/23/2023 and was denied by the Judge 10/25/2023.**

V. PRAYERS REQUEST FOR RELIEF


Wherefore, Debtor respectfully request that this Court enter an order:

1. Reopening this Chapter 7 case under **11 U.S.C. § 350(b)**;
2. Avoid the Confessed Judgment as for lien(s) placed by **M&T Bank** on the Debtor’s property located at **102 Artlee Avenue Butler, Pennsylvania 16001**, and declare the lien(s) **void and unenforceable** under the **11 U.S.C. § 522 (f)(1)(A)** as described under **Exhibit 2** and

- Exhibit 3** H4003d Local Form See **11 U.S.C. § 349(b)** Attach supporting memorandum and other information as needed;
3. Holding the creditor in contempt for violation of the discharge injunction under **11 U.S.C. §542(a)(2)**, and awarding appropriate sanctions, including costs and damages.
 4. Enjoining any further collection efforts or enforcement actions on the discharged debt;
 5. Request for issue of an order declaring the actions taken under the color of state law by **M&T Bank, KML Law Group Attorneys, and State Court Judges** are in violation of the **discharge injunction** and that the liens are invalid attempts to collect a debt that was discharged in bankruptcy is viewed as collateral attack a Bankruptcy Judge's Court Order.
 6. Address the state defiance of federal law by the state court and order they appropriately cure and remove all fraudulent instruments in the court and deed records which have clouding the Plaintiff's rights of enjoyment of her exempted property and the Debtor's rights entitlement under General Warranty Deed to sell or transfer by which is the real owner of the property 102 Artlee Avenue Butler Pennsylvania 16001 who possesses the Paramount title to the property back by guaranteed land title of her uncontestable life insurance policy attached to the property for her heirs to have and to hold by virtue of the General Warranty Deed conveyed.
 7. Grant any other or additional relief as the Court deems just and proper.

This verification is being made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsifications to authorities and under 28 U.S. Code § 1746 Unsworn declarations under penalty of perjury. I declare under penalty of perjury that the foregoing is true and correct.


Respectfully, Joanne Marie Roman Pro Se
102 Artlee Avenue, Butler PA 16001
jmroman0967@gmail.com
(814) 323-5853


Executed on: **June 30, 2025**

Key Citations and Legal References:

11 U.S.C. §524(a) – Discharge Injunction
11 U.S.C § 522(f) – Lien Avoidance
11 U.S.C. § 105 – Court's inherent power to issue orders to protect the integrity of the bankruptcy process
In re: Greene, 104 F.3d 1066 (9th Cir. 1997) – Bankruptcy court's authority to enforce discharge injunction
In re: Hyman, 502 F.3d 61 (2nd Cir. 2007) – authority of bankruptcy courts to avoid post-discharge liens

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:)
JOANNE M. ROMAN,) Case No. 21-20642-GLT
Chapter 7 Debtor.)
)

ORDER OF THE COURT
GRANTING MOTION TO REOPEN CASE AVOID JUDGMENT LIENS
ON DEBTORS' EXEMPT PROPERTY AND GRANT RELIEF UNDER THE
BANKRUPTCY DISCHARGE FOR VIOLATION OF THE
AUTOMATIC STAY AND THE DISCHARGE INJUNCTION

AND NOW, this , day of , 2025, for the reasons set forth in the Court's
accompanying Memorandum Opinion filed here with, **IT IS HEREBY ORDERED** that:

1.

Honorable Gregory L. Taddonio
United States Bankruptcy Court Judge

cc: ECF/CM (NEF): All counsel of record
Joanne Marie Roman (via U.S. Mail)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:)
JOANNE M. ROMAN,) Case No. 21-20642-GLT
Chapter 7 Debtor.)
)

ORDER OF THE COURT
GRANTING MOTION TO REOPEN CASE AVOID JUDGMENT LIENS
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United States Bankruptcy Court Judge

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Joanne Marie Roman (via U.S. Mail)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:)
JOANNE M. ROMAN,) Case No. 21-20642-GLT
Chapter 7 Debtor.)
)

CERTIFICATE OF SERVICE

Joanne M. Roman, pro se litigant certifies that a true and correct copy of the Plaintiff's Motion to Reopen Bankruptcy Case, Motion Avoid Judicial Money Judgment Lien Premises and Confession Money Judgment Lien for Possession \$0 and Motion Civil Contempt for Sanctions for violation bankruptcy order of discharge injunction all Defendant's The Honorable William R. Shaffer, Senior Judge, KML Law Group and M&T Bank was mailed Saturday June 14, 2025, USPS Guaranteed Tracked Insured Overnight Delivery Authentic Signature.

DISTRIBUTION

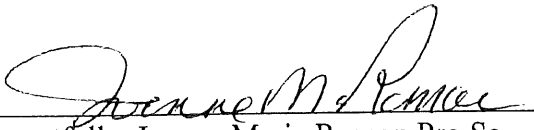
The United States District Court, Clerk's Office, Room 3110, Joseph F. Weis, JR., U.S. Court House, 700 Grant Street, Pittsburgh, PA 15219. To record Plaintiff response and docket the electronic record ECF/CM (NEF) TO NOTICED Defendant Attorneys. The package was deposited at the United States Postal Service, City of Butler, Pennsylvania's main post office, mailed date: Saturday, 06/14/2025, by Plaintiff Joanne M. Roman. USPS Priority Express Mail No: ER 132 061 105 US guaranteed overnight delivery signature print certificate receipt online at tracking USPS.com.

DEFENDANTS:

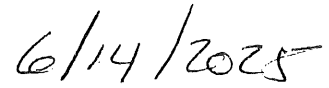
1. **Michael McKeever, ESQ., KML Law Group, P.C., Suite 5000 – BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1532.** TO BE NOTICED, Lead Attorney for M&T Bank and OBLIGEE FOR: KML Law Group, P.C., et. al. (named employees) New Jersey, Philadelphia, PA, Pittsburgh, PA and San Diego and Temecula, CA. ER 132 061 091 US

2. **Jennifer M. Herrmann, Supreme Court of Pennsylvania, Administrative Office of Pennsylvania Courts 1515 Market Street, Suite 1414, Philadelphia, PA 19102.** TO BE NOTICED, on behalf of the third-party intervener(s) employed by the Commonwealth Pennsylvania Court of Common Pleas of Butler County, PA Civil Division, 50th Judicial District. **ER 132 061 131 US**

This verification is being made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsifications to authorities and under 28 U.S. Code § 1746 Unsworn declarations under penalty of perjury. I declare under penalty of perjury that the foregoing is true and correct.



Respectfully, Joanne Marie Roman Pro Se
102 Artlee Avenue, Butler PA 16001
jmroman0967@gmail.com
(814) 323-5853



Executed on Date: **June 14, 2025**

Certificate of Service Copy mailed USPS.com tracking No. **ER 132 061 114 US**

June 21, 2025

United States District Court
Clerk's Office Room 3110
Joseph F. Weis Jr.
US Court House
700 Grant Street
Pittsburgh, PA 15219

Dear District Clerk of Court Office, Room 3110,

**Please scan into ECF/CM electronic record docket attached undercover for the District Court.
Case No. 2:23-cv-0308-WSH.**

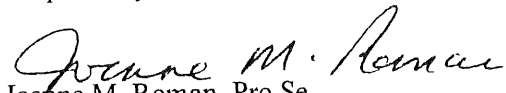
Enclosed are some revisions to package previously mailed 6/14/2025.

1. The motions to avoid lien mailed docketing event Bankruptcy Court. The **changes are mandatory** required by Bankruptcy Court Procedures completed in accordance with enclosed filing checklist.
2. Amended Bankruptcy Schedules C and D of the Core Case to support the motion statement of discovery of improper and defective assignment of mortgage 4/9/2021 recorded during automatic stay without notice for debtor to change the exemption to 100% 522 (d)(1). M&T Bank continued with a foreclosure process from 12/4/2020 circumvented around federal bankruptcy law to state court after bankruptcy case was closed as shown on docket AD 2022-10337 5/13/2022 lawsuit named Joanne M. Roman defendant sued for debt wrongful was debt collection. This complaint was filed by KML Law Group, P.C. Attorney for M&T Bank **outside arbitration appeal rights concurrent (not separate) action stemming from bankruptcy case** per attached Doc 16-1 Notice proves KML Law was Noticed Re 341 meeting. An ejection lawsuit was also filed naming Joanne M. Roman defendant 10/30/2024 in action of a quite title oral argument held 5/15/2025.
3. There is also a copy of the transcript from state court 5/15/2025 oral argument.
4. Enclosed is a copy of letter that will be mailed to the Bankruptcy Court June 30, 2025, **ER 132 061 088 US ATTN: Honorable Gregory L. Taddonio** include with copy of final the Motion for Contempt Sanctions must be mailed directly to the Bankruptcy Judge.
5. Certificate of Service mailed 6/14/2025 under cover letter **ER 132 061 091 US ATTN:** Lead Attorney to be Noticed Michael McKeever for KML Law and M&T Bank defendants.
6. Certificate of Service mailed 6/14/2025 under cover letter **ER 132 061 131 US** for Commonwealth of Pa ATTN: To be Noticed Jenniffer Herrmann Court of Pa AOPC behalf of third-party interveners and the Honorable William R. Shaffer, Senior Judge are printed and attached from USPS.
7. Attached to this letter is **NOTICE Revisions at Page 2. NOTICE** court and all defendant of the changes made after mailed 6/14/2024 include copy of final motions that will be mailed to Bankruptcy changes are only being requested to be scanned docketed service ECF/CM to notice this court and all defendants (not mailed) inclusive to changes stated above and inclusive to **Exhibit #4 Changes are as follows:**
8. In error realized did not include the Plaintiffs math to support Pa Rev Form 183 contested objections as stated on cover sheet of **Exhibit 4. Plaintiff added (2) pages** print from public access 2 copies of mortgage only first page (see hand-written notes) and public access deed records printed from Joanne M. Roman records Re

closing and documents recorded 8/8/2017. Barbara Jean Evans Closing 7/26/2017 General Warranty. Deed given to Joanne M. Roman 9/1/2017 by original lender Liberty Mortgage Corporation and Evans note-pay off recorded 8/11/2017. Supports RACE 8/9/2017 recording Joanne M. Roman General Warranty Deed and the **bifurcated two notes one mortgage** later created another investor loan number for M&T Bank does not match the last four number **7380** shown on Roman's Bankruptcy form Schedule D.

9. Also included is a legal definition of **"Paper Terrorism"** as relates Congressional House Rule **H.R. 4173 Dodd-Frank Wall Street Reform Act**...M&T Bank violated within the 1st year of the Secretary closing is and the action on 12/4/2020 against the Plaintiff stemming to all the current actions to date "allege RICO" unlawful collection of a debt... and further adding to not upholding an Oath of Office to the Constitution (those who are required) is a violation of Federal Law "Supremacy Clause" clarification to the court and the defendants Joanne M. Roman's claim is not Frivolous.

Respectfully Submitted,



Joanne M. Roman, Pro Se
102 Artlee Avenue, Butler PA 16001
jmroman0967@gmail.com
(814) 323-5853

6/21/2025

Certificate of Service copies mailed USPS.com tracking **mailed 6/21/2025** to District Court USPS tracking.com Certificate No. **ER 132 061 114 US**

Revision for updating docketed are enclosed under cover Certificate No. **ER 132 061 105 US mailed 6/14/2025** to District Court and all Defendants (inclusive of printed service guaranteed delivery and signature by USPS).

A copy of this letter and notice WILL BE provided with the package being mailed 6/30/2025 to the Bankruptcy Court USPS Certificate guaranteed delivery and signature by USPS No. **ER 132 061 088 US**

NOTICE 6/21/2025 **REVISIONS TO PREVIOUS NOTICE 6/14/2025

1. Pro Se Plaintiff of 2:23-cv-00308 having already filed bankruptcy motions in the **District Court** appears to have made a mistake, the court may dismiss my claim again, and the debtor may not get a chance to re-file an Amended Complaint to the appropriate court being the United States Bankruptcy Court as stated on the Judge Hardy's Order re87 on docket.
2. ** Therefore, Joanne M. Roman, Pro Se, **withdrawals ONLY motions already filed in the District Court copies of NEW motions are attached hereto 6/14/2024 replaces all previous motions** filed in the District Court for Debtor-In-Possession (DIP). A Drafted Motion was prepared 6/14/2025 finalized per #3 below on 6/21/2025.
3. ** A copy of the attached package is being provided here for notification and service through the ECF/CM electronic process. **The cover letter with the final motion per #2 above package is being mailed 6/30/2025, Monday at the US Bankruptcy Court, 544 U.S. Steel Tower, 600 Grant Street Pittsburgh, PA 15219. Mailed directly to the ATTN: The Honorable Gregory L. Taddonio, Chief Judge. The Clerk of Court is Michael R. Rhodes (412) 644-2700.**
4. ** Plaintiff voluntarily withdrew all bankruptcy motions from the US District Court regarding reopen case avoidance of liens and contempt to prevent dismissal and/or summary judgment and is transferring those filing to the appropriate court for action: **The United States Bankruptcy Court Western District of PA having a standing referral order under 28 U.S.C. § 157(a) for motions notice to reopen the case, motion avoid liens and the ** motion contempt/sections.**

The basis filing the **42 U.S.C § 1983** claim against all defendants, the judge, attorneys' results **violation of a constitutional right under the color of state law.**

This District Court also has authority to preempt or enjoin enforcement under the Supremacy Clause and consistent with federal bankruptcy law as shown in the following legal citation **§§105(a)** Equitable Powers of the Bankruptcy Court and

11 U.S.C. 524(a)(2) enforce the injunction hold the defendant in civil contempt for violation of the discharge injunction.

Certificate of Service Copy mailed USPS.com tracking No. **ER 132 061 105 US**

6/21/2025 NOTICE SUPERSEDES THIS PREVIOUS NOTICE 06/14/2025

1. Pro Se Plaintiff of 2:23-cv-00308 having already filed bankruptcy motions in the **District Court** appears to have made a mistake, the court may dismiss my claim again, and the debtor may not get a chance to re-file an Amended Complaint to the appropriate court being the United States Bankruptcy Court as stated on the Judge Hardy's Order re87 on docket.
2. Therefore, Joanne M. Roman, Pro Se, withdrawals ONLY motions already filed in the District Court copies of NEW motions are attached hereto and replace all previous motions filed in the District Court for Debtor-In- Possession (DIP).
3. A copy of the under attached package is being provided here for notification and service through the ECF/DM electronic process. The Original Package is being mailed to US Bankruptcy Court, 544 U.S. Steel Tower, 600 Grant Street Pittsburgh, PA 15219. Mailed directly to the ATTN: The Honorable Gregory L. Taddonio, Chief Judge. The Clerk of Court is Michael R. Rhodes (412) 644-2700.
4. Plaintiffs' voluntary withdrawal all motions from the US District Court regarding bankruptcy motions reopen case avoidance of liens and contempt to prevent dismissal and/or summary judgment and is transferring the filing of all motions in the appropriate court for action: **The United States Bankruptcy Court Western District of PA having a standing referral order under 28 U.S.C. § 157(a) for motions notice to reopen the case, motion avoid liens and motion contempt/sections.**

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This District Court also has authority to preempt or enjoin enforcement under the Supremacy Clause and consistent with federal bankruptcy law as shown in the following legal citation **§§105(a)** Equitable Powers of the Bankruptcy Court and **11 U.S.C. 524(a)(2)** enforce the injunction hold the defendant in civil contempt for violation of the discharge injunction.



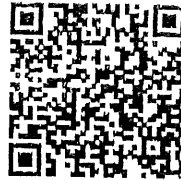
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06/21/2025

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PURCHASE DETAILS

Product	Qty	Unit Price	Price
PM Express	1		\$31.95
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Weight: 0 lb 14.00 oz			
Signature Requested			
Scheduled Delivery Date			
Mon 06/23/2025 06:00 PM			
Money Back Guarantee			
Tracking #:			
ER132061114US			
Insurance			\$0.00
Up to \$100.00 included			
Total			\$31.95

Grand Total: \$31.95

Credit Card Remit \$31.95

Card Name: MasterCard
Account #: XXXXXXXXXX3699
Approval #: 00423P
Transaction #: 153
AID: A0000000041010 Chip
AL: MASTERCARD
PIN: Not Required MASTERCARD

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TO FILE AN INSURANCE CLAIM

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23 June 2025 ⓘ by 6:00pm ⓘ

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Waiver of signature was exercised at time of delivery.

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Delivered, Individual Picked Up at Postal Facility

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June 24, 2025, 10:42 am

Out for Delivery

PITTSBURGH, PA 15219

June 23, 2025, 7:44 am

Arrived at Post Office

PITTSBURGH, PA 15212

June 23, 2025, 7:33 am

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PITTSBURGH PA DISTRIBUTION CENTER

Feedback

- **Departed Post Office**
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June 21, 2025, 2:41 pm
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BUTLER, PA 16001
June 21, 2025, 9:59 am
- **Hide Tracking History**

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10:42 am

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FAQs >

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On Time

Expected Delivery on

MONDAY

23 June 2025 ⓘ

See Product Information ▾

Your item is out for delivery on June 23, 2025 at 7:44 am in PITTSBURGH, PA 15219.

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Delivered

Out for Delivery

● Out for Delivery

PITTSBURGH, PA 15219
June 23, 2025, 7:44 am

● Arrived at Post Office

PITTSBURGH, PA 15212
June 23, 2025, 7:33 am

● Arrived at USPS Regional Facility

PITTSBURGH PA DISTRIBUTION CENTER
June 21, 2025, 2:41 pm

● Departed Post Office

Feedback

BUTLER, PA 16001
June 21, 2025, 10:49 am

USPS in possession of item

BUTLER, PA 16001
June 21, 2025, 9:59 am

Hide Tracking History

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Text & Email Updates

Proof of Delivery

USPS Tracking Plus®

Product Information

Postal Product:

Priority Mail
Express 2-Day®

Features:

Money Back Guarantee
PO to Addressee
Up to \$100 insurance included. Restrictions Apply ⓘ

Scheduled Delivery by:

Monday, June 23, 2025,
6:00pm ⓘ

See Less ^

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FAQs

Certificate of Service Copy to be mailed USPS.com tracking No. **ER 132 061 088 US**

June 30, 2025

Honorable Gregory L. Taddonio
U.S. Bankruptcy Court
5414 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

**RE: Debtor, Joanne Marie Roman, pro se Chapter 7, CLOSED Case No. 21-20642-GLT
Adversary Proceeding 2:23-cv-0308-WSH.** FOR Docketing Events Post Discharge
occurred in State Court Butler, Pa. **Violation 11 U.S.C. 524(a).** Contested Matter Motion Reopen
Core Case to address violations.

1. Debtor, affirms the Federal Rule of Bankruptcy Procedure 4003(b) would not be an issue since party who is claiming interest (like creditors or the trustee) have no voice to object to a debtor's claim of exemptions because they did not show to 341 meeting of the creditor's held 5/3/2021 and is outside of arbitration limits not within a certain timeframe (usually 30 days after the 341 meeting of creditors) distribution of bankruptcy estate was made to DIP and case was closed 11 U.S.C. 350(a). The bankruptcy case was completed. The trustee's role ended; the trustee, who managed the bankruptcy estate, has been released from their responsibilities by the court formally discharged by the court, the court is then required to close the case.
2. Debtor affirms the Passive Notice has been completed Local Rule 4003-2 through Attorney to be Noticed KML Law Group P.C., for M&T Bank.

The following is attached:

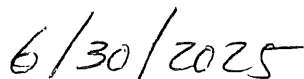
3. Three ORDERS Granting Motion Reopen Case, Avoid Judgment Lien(s) on Exempt Property and Relief under the bankruptcy discharge for violation of injunction and automatic stay and Motion for Contempt and Sanctions.
4. Three Motions for U.S. Bankruptcy Court Motion Re-open Case, Mandatory for Motion Avoid two Judgment Liens §522(f)(1)(A) and Motion for Civil Contempt/Sanctions to Enforce the injunction In effect 11 U.S.C. §524(a)(2) and § 105(a) completed in accordance with enclosed checklist.
5. TWO Local Form H4003d (12/17) Motion to Avoid Lien Under 11 U.S.C. § 522(f) Chapter 7 Case: 21-20642-GLT are Exhibits 2 and 3 attached. The Memorandum and other supporting documents attached Pursuant **11 U.S.C. § 349 (b)** as follows:
6. Index with Four attached Exhibits (cover sheet explains exhibits).
7. Copy Plaintiffs Response to Defendants Briefs re75 and re77 due June 16, 2025, re71 Second Amended Complaint Motions to Dismiss 12(b)(1) and 12(b)(6) or summary judgment Briefing Schedule 42 U.S.C. § 1983 District Court Western Pa Case No. 2:23-cv-0308-WSH docket Roman v. M&T Bank et al.

8. Copy Transcript State Court 5/15/2025 Oral Argument Ejectment and Debtor's document in Supports to show a brief was filed electronic record by Debtor 5/2/2025 – Judge ordered possession judgment for Plaintiff KML Law Group for Bank.
9. Copy 318 form attached (Doc 16 and Doc 16-1) from Pacers Case 21-20642-GLT.
10. Amended Bankruptcy Schedules C and D form Core Case petition 3/22/2021.
11. Certificates of Service 6/14/2025 letters were mailed, and USPS guaranteed tracked, delivered, signature printed and attached also parties were electronically served in accordance with Bankruptcy Fed. R. Bankr. P. 7004 summons and complaint in adversary proceeding 11 U.S.C. 42 § 1983 and Rule 9014 “contested matters” Re bankruptcy case Motions served in same manner as summons and complaint in adversary proceeding were completed and revisions on 6/21/2025 copy final submission of motions sent to District Court for service ECF/CM in docket 2:23-cv-0308-WSH [**Exhibit 1**].
12. Attached at [**Exhibit 1**] The Honorable District Judge W. Scott Hardy's Order, 5/19/2025, Re #87 on docket 2:23-cv-0308-WSH.

This verification is being made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsifications to authorities and under 28 U.S. Code § 1746 Unsworn declarations under penalty of perjury. I declare under penalty of perjury that the foregoing is true and correct.

Respectfully Submitted,


Joanne M. Roman, Pro Se
102 Artlee Avenue, Butler PA 16001
jmroman0967@gmail.com
(814) 323-5853


Executed on date: **June 30, 2025**

cc: United States District Court, Clerk's Office Room 3110, Joseph F. Weis Jr. US Court House,
700 Grant Street, Pittsburgh, PA 15219 – through additional letter dated 6/21/2025.

See District Court letter under certificate of service.

Motion to Avoid Lien

Docketing Event

Bankruptcy > Motions/Applications/Objections > Motion to Avoid Liens

Negative Notice: Yes.

Accompanying Orders: N/A.

Code and Rule References:

- ✓ 28 U.S.C. § 1746
- ✓ 11 U.S.C. § 522(f)(1)
- ✓ Fed. R. Bankr. P. 4003(d)
- ✓ Fed. R. Bankr. P. 9011(e)
- ✓ Local Rule 4003-2

Fee: N/A

Applicable Chapters: 7, 11, 12, 13

Implemented: 2/9/2016

Last Revision: 7/9/2020 8:49:26 AM

Description

A lien on an individual debtor's allowed exempt property may be avoided if it is: (1) a judicial lien other than one that secures a debt of the kind specified in Section 523(a)(5) (for a domestic support obligation); or (2) a non-possessory, non-purchase money security in certain listed items, including but not limited to household furnishings, professional tools of trade, or professionally prescribed health aids. 11 U.S.C. § 522(f)(1). This section does not apply to statutory liens, e.g., liens held by the Internal Revenue Service.

Sailed
IRS verified in #1 Exhibit Amended Complaint
NO IRS TAX LIEN 3/19/2025
AT Doc 73 Doc 71 and Doc 72

Filing Checklist

2:23-cv-00308-WSH

Includes 5 Exhibit

✓ Local Rule 4003-2 provides specific instructions on lien avoidance.

✓ Local Rule 4003-2(a) provides: "The title of the motion shall identify the creditor whose lien is sought to be avoided. The motion shall be verified or accompanied with an affidavit and shall describe with specificity the nature of the lien, recording information, if applicable, and the property affected with legal description, as appropriate."

✓ Local Rule 4003-2(b) provides: "A separate motion is required for each creditor whose lien is sought to be avoided."

✓ Local Rule 4003-2(c) provides: "A motion to avoid lien under 11 U.S.C. § 522(f) shall be served in accordance with Fed. R. Bankr. P. 7004 and 9014."

Review the motion to determine if it:

- ☒ Includes a signed and dated affidavit, declaration, verification, or certificate indicating it is signed under penalty of perjury;

2:23-cv-00308-WSH
Praecipe Reissue
Re 86 and Re 87 Doc

- ❖ **Note:** Must be signed by the debtor. In a joint case, only one debtor is required to sign; and
- ❖ **Note:** Verification language should comply with 28 U.S.C. § 1746, e.g., "I declare (or certify, verify, or state) under penalty of perjury [if executed outside the U.S., include 'under the laws of the United States of America'] that the foregoing is true and correct. Executed on (date).
- ☒ Is properly served and includes a proper certificate of service;
- ☒ Has the attorney's name and address complete and consistent with the filing attorney's name and address in CM/ECF;
- ☒ Is filed with negative notice that contains the correct language and is located on the first page;
- ❖ **Note:** Response period is 21 days (plus an additional three days for service if any party was served by U.S. Mail).
- ☒ Includes the following in the motion:
 - ❖ For motions requesting avoidance of a judicial lien: a description including Official Record book and page number, a judgment lien certificate document number, or an instrument number when appropriate;
 - ❖ Clear description of the party that holds the lien sought to be avoided (must be included in both the title and the body of the motion);
 - ❖ Legal description and street address of real property;
 - ❖ For a vehicle: property description must list VIN;
 - ❖ For other property, a clear description of property; and
 - ❖ **Note:** for example, "Household Goods" is acceptable.
- ☒ Property in motion is listed on Schedule C or Amended Schedule C.
- ☐ Does not request relief for more than one creditor. (NO)

Forms

- ☒ Motion to Avoid Judicial Lien on Exempt Property
- ☒ Order Granting Motion to Avoid Judicial Lien on Exempt Property